

HOUSE OF REPRESENTATIVES STAFF ANALYSIS

BILL #: CS/HB 817 Public School Attendance

SPONSOR(S): Schools & Learning Council; McBurney

TIED BILLS: IDEN./SIM. BILLS:

REFERENCE	ACTION	ANALYST	STAFF DIRECTOR
Orig. Comm.: Schools & Learning Council	14 Y, 0 N	Hassell/Eggers	Cobb
1) _____	_____	_____	_____
2) _____	_____	_____	_____
3) _____	_____	_____	_____
4) _____	_____	_____	_____
5) _____	_____	_____	_____

SUMMARY ANALYSIS

The CS for HB 817 creates the Student Preparedness Pilot Program (pilot program) to be piloted by school districts beginning with the 2008-2009 school year, and continuing through the 2014-2015 school year. For purposes of the 2008-2009 school year, each school district selected shall review, identify, and develop curricula options for implementation of the pilot program in the 2009-2010 school year. The Department of Education is required to develop an application process and the State Board of Education is required to select the pilot program districts, one of which must be the Duval County School District.

In participating pilot program districts, students who attain the age of 16 years but have not reached the age of 18 years and who choose to exercise their option to not regularly attend school are subject to the pilot program's attendance and completion requirements. Such students must choose to:

- Continue towards and earn a high school diploma,
- Pursue and earn a high school equivalency diploma and earn a bronze level or higher Florida Ready to Work Credential (credential)¹,
- Participate in a career or job training program and earn an industry certification or skill licensure, or
- Participate in the Ready to Work Certification Program and earn a credential.

OPPAGA must conduct an annual study on the impact of the pilot program on dropout and graduation rates, on the employability of students, and on juvenile crime and make the results available January 1, 2012.

The pilot program is a voluntary program. Each school district that applies and is selected to participate may incur costs when the district implements the pilot program in the 2009-2010 school year. However, the costs are indeterminate at this time. (See **FISCAL COMMENTS** section of this analysis)

¹ S. 1004.99, F.S.

FULL ANALYSIS

I. SUBSTANTIVE ANALYSIS

A. HOUSE PRINCIPLES ANALYSIS:

Promote personal responsibility – The CS for HB 817 promotes personal responsibility by establishing the Student Preparedness Pilot Program which targets certain students who would otherwise terminate school enrollment without a degree or skill licensure the opportunity to choose to exit the public school system with the skills necessary to pursue a postsecondary education, a career in the workforce, or both.

B. EFFECT OF PROPOSED CHANGES:

Background

School Attendance

Compulsory school attendance refers to the minimum and maximum ages in which all students must regularly attend school during the entire school term. Current Florida Law provides that the compulsory school attendance minimum age includes all children who are either six years of age, who will be six years old by February 1 of any school year, or who are older than six years of age but who have not attained the age of 16 years.² Parents must comply with the school attendance requirements and have the option to have their child attend a public school; a parochial, religious, or denominational school; a private school; a home education program; or a private tutoring program, in accordance with the provisions of s. 1003.01(13), F.S.

In Florida, a student who turns 16 during the school year is not subject to compulsory school attendance beyond the student's birthday if the student files a formal declaration of intent to terminate school enrollment. The formal declaration must include a statement that acknowledges that terminating school enrollment is likely to impact the student's future earning potential, must be filed with the district school board, and the declaration must be signed by the student and the parent. The district must notify the student's parent upon receipt of the student's declaration.

A student's guidance counselor must conduct an exit interview with each student who files a declaration to ascertain the reasons for the student's decision and actions that could be taken to keep the student in school. The student must be informed of educational options, including, but not limited to, adult education and general educational development (GED) test preparation that are available to continue their education. Additionally, each student must complete their own survey on why he or she chose to terminate enrollment and the actions taken by the school to keep the student enrolled.

Public school students 16 years of age or older who have not graduated from high school remain subject to compulsory school attendance until completion of high school or until they file a formal declaration of intent to terminate school enrollment.

² ss. 1002.20(2) and 1003.21(1), F.S.

Graduation and Dropout Rate

Florida's graduation rate rose to 72.4 percent in 2006-07, an increase of 1.4 percent compared to last year's rate (71.0 percent) and an overall increase of 12.2 percent since 1998-99 (60.2 percent).

In 2006-07, Florida's annual high school dropout rate declined from 2005-06, dropping 0.2 percentage points to 3.3 percent.³

Florida Ready to Work Certificate Program

The 2006 Florida Legislature created the Florida Ready to Work Certificate Program⁴ to enhance the workplace skills of Florida's students to better prepare them for successful employment in specific occupations. A student who earns a Ready to Work Credential (credential) will be considered equipped with the skills to enter the workforce.⁵ Any Florida student or resident is eligible to earn the credential.

The program is administered by the Florida Department of Education, Division of Workforce Education, in cooperation with Worldwide Interactive Network (WIN) and the nationally recognized ACT® WorkKeys program. WIN provides the online WIN for WorkKeys® pre-assessment and skills training courseware, career database and other program support. ACT WorkKeys® provides the proctored assessment and career readiness certification.⁶ Currently there are no other assessment providers or assessments of comparable rigor being utilized in Florida.

A credential is awarded to a student who successfully passes 3 WorkKeys assessments in Reading for Information, Applied Mathematics, and Locating Information. Each assessment can be completed in less than 1 hour. The assessments are offered online but must be proctored and taken at a certified Florida Ready to Work testing center.⁷

Each assessment is scored on a scale from 3 to 7. The higher the score, the greater the participant's ability to perform more complex skills. The three levels of the credential are:

- Bronze – minimum score of 3 or more on all assessments
- Silver – minimum score of 4 or more on all assessments
- Gold - minimum score of 5 or more on all assessments

The credential demonstrates to current and future employers that students have the skills to meet employment expectations. Knowing a job applicant possesses a credential, an employer can be more confident that he or she can begin the job with the skills necessary for successful job performance. In addition, the credential ensures that students have the skills necessary to enter college or the workforce based on objective, standardized skill assessments which are aligned to FCAT objectives.⁸

³Florida Department of Education Press Release – Governor Crist Announces Florida's High School Graduation Rate on the Rise; November 30, 2007. http://www.fldoe.org/news/2007/2007_11_30.asp

⁴ Section 35, Chapter 2006-74, Laws of Florida

⁵ Section 1004.99, F.S.

⁶ <http://www.fldoe.org/readytowork/>

⁷ Id.

⁸ Id.

Effects of Proposed Changes

The Council Substitute (CS) provides for the legislative finding that it is in the public interest for all students to exit the public school system with the skills necessary to pursue a postsecondary education or to pursue a career in the workforce.

The CS creates the Student Preparedness Pilot Program (pilot program) to be piloted by school districts beginning with the 2008-2009 school year, and continuing through the 2014-2015 school year. The pilot program provides for attendance and completion requirements for students who attain the age of 16 years but have not reached the age of 18 years and whose academic goals may not include a traditional high school diploma.

The Department of Education (DOE) is required to develop an application process for all districts to apply to participate in the pilot program. The State Board of Education (SBE) must review and select the pilot program districts from the applications submitted. The SBE must select Duval County School District as one of the participating pilot programs.

For purposes of the 2008-2009 school year, each selected district must use the school year as a planning period to review, identify, and develop curricula options for students who attain the age of 16 years but have not reached the age of 18 years whose academic goals may not include a traditional high school diploma. Each selected district must identify nontraditional academic and flexible attendance options for such students and may include a phase-in of students by age or grade. Also, each selected district must develop a plan to meet the student's needs and the attendance and completion requirements of the pilot program prior to implementation in the 2009-2010 school year.

In participating pilot program districts, students who attain the age of 16 years but have not reached the age of 18 years and who choose to exercise their option to not regularly attend school are subject to the pilot program's attendance and completion requirements. Regular program attendance for students in a pilot program school district means actual attendance by the student in traditional or nontraditional academic options, as defined by the law and rules of the SBE. In order to terminate school enrollment, such students must attain the age of 18 years or must choose to:

- Continue towards and earn a high school diploma,
- Pursue and earn a high school equivalency diploma and earn a bronze level or higher Florida Ready to Work Credential (credential)⁹,
- Participate in a career or job training program and earn an industry certification or skill licensure, or
- Participate in the Ready to Work Certification Program and earn a credential.

Students who choose to work towards a high school equivalency diploma must also attain a bronze level or higher Ready to Work Credential in order to terminate school enrollment. In practice, a student must score a minimum of 3 or above on the assessments to earn a bronze level credential, a 4 or above on the assessments to earn a silver level credential, or a 5 or above on the assessments to earn a gold level credential. The CS provides for bronze, silver, and gold levels of the credential and establishes the minimum score needed to attain each credential level.

The CS provides that students who successfully pass the Reading for Information, Applied Mathematics, and Locating Information assessments or assessments of comparable rigor are awarded

⁹ S. 1004.99, F.S.

a Florida Ready to Work Credential. Currently, the 3 WorkKeys assessments¹⁰ are the only assessments used to award credentials for the Ready to Work Certificate Program. Thus, assessments of comparable rigor, if they are established, may be used in addition to or in place of the WorkKeys assessments.

The CS provides a student who is subject to the attendance and completion requirements in a participating pilot program district who selects a nontraditional academic option is not considered to be an “eligible student” for purposes of school grading. Thus, only the achievement scores and learning gains of students who pursue credits toward their high school diploma are included in the student assessment data used to determine the school’s grade.

The Office of Program Policy Analysis and Government Accountability (OPPAGA) is required to conduct an annual study on the impact of the pilot program on dropout and graduation rates, on the employability of students, and on juvenile crime. OPPAGA is directed to collaborate with the pilot districts, the applicable state attorneys’ offices and regional workforce boards, the Agency for Workforce Innovation, the Department of Education, and the Department of Juvenile Justice on the report. OPPAGA must develop criteria for collection and reporting of data, and must use 2007-2008 data as a baseline for the research.

OPPAGA must make available the results of the report to all participating pilot program districts and those entities that collaborated with OPPAGA in developing the report. Additionally, beginning January 1, 2012, OPPAGA must make available the results of the report to the Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

C. SECTION DIRECTORY:

Section 1. Creates s. 1003.215, F.S., creating the Student Preparedness Pilot Program; requiring Duval County School District and each selected district to review and develop curricula options for certain students; requiring students between the age 16 but have not reached the age of 18 years who do not regularly attend to be subject to specific attendance and completion requirements; providing for an application and selection process for school district participation in the pilot program; specifying school attendance requirements and procedures for termination of school enrollment; providing that students who select a nontraditional academic option are not considered to be an eligible student for purposes of school grading; and requiring an annual study and reporting by the Office of Program Policy Analysis and Government Accountability.

Section 2. Amending s. 1003.01, F.S., providing that habitual truancy provisions apply to students subject to pilot program requirements; defining “regular program attendance” in a pilot program school district for purposes of the K-12 definitions.

Section 3. Amending s. 1003.21, F.S., requiring any student enrolled in a pilot program school district to be informed of school attendance requirements.

Section 4. Amending s. 1003.26, F.S., conforming cross-references.

¹⁰ Reading for Information, Applied Mathematics, and Locating Information
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Section 5. Amending s. 1004.99, F.S., providing for bronze, silver, and gold credential levels; requiring minimum scores on assessments for each credential level.

Section 6. Providing for an effective date.

II. FISCAL ANALYSIS & ECONOMIC IMPACT STATEMENT

A. FISCAL IMPACT ON STATE GOVERNMENT:

1. Revenues:

The CS does not appear to have a fiscal impact on state government revenues.

2. Expenditures:

The CS does not appear to have a fiscal impact on state government expenditures.

B. FISCAL IMPACT ON LOCAL GOVERNMENTS:

1. Revenues:

The CS does not appear to have a fiscal impact on local government revenues.

2. Expenditures:

The CS does not appear to have a fiscal impact on local government expenditures.

C. DIRECT ECONOMIC IMPACT ON PRIVATE SECTOR:

The CS does not appear to have a direct impact on the private sector.

D. FISCAL COMMENTS:

For the 2008-2009 school year, Duval County school district, is directed to review curricula options for students whose academic goals may not include a traditional high school diploma. According to Duval County school district, the district is currently exploring such options.

The Student Preparedness Pilot Program is a voluntary program for school districts to choose to apply to the DOE to participate in the pilot program. Each school district that applies and is selected to participate may incur costs when the district implements the pilot program in the 2009-2010 school year. However, those future costs are indeterminate at this time.

III. COMMENTS

A. CONSTITUTIONAL ISSUES:

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1. Applicability of Municipality/County Mandates Provision:

The CS does not appear to require a city or county to expend funds or take any action requiring the expenditure of funds. The CS does not appear to reduce the authority that municipalities or counties have to raise revenues in the aggregate. The CS does not appear to reduce the percentage of state tax shared with counties or municipalities.

2. Other:

None.

B. RULE-MAKING AUTHORITY:

None.

C. DRAFTING ISSUES OR OTHER COMMENTS:

None.

D. STATEMENT OF THE SPONSOR

None.

IV. AMENDMENTS/COUNCIL SUBSTITUTE CHANGES

On March 25, 2008, the Schools and Learning Council adopted a Proposed Council Substitute (PCS) to HB 817 and passed the bill as a Committee Substitute (CS). The differences between the CS and the HB are as follows:

- The CS revises the first year of the pilot program so that each selected district must use the 2008-2009 school year as a planning period to review, identify, and develop curricula options for students who attain the age of 16 years but have not reached the age of 18 years whose academic goals may not include a traditional high school diploma.
- The CS provides a student who is subject to the attendance and completion requirements in a participating pilot program district who selects a nontraditional academic option is not considered to be an "eligible student" for purposes of school grading.